

Requirements: Show the video on this topic from the Legal Aid WA website under Resources>What's the law

Pre-teaching

Vocabulary: discrimination, legal aid, confidential, race, gender, human rights, equal opportunity

Warm up activity to introduce topic: ask the class what sort of rules they have had to follow at work (in Australia or in other countries).

Key messages

1. Discrimination means being treated unfairly or not as well as others because of a characteristic like age, gender, race or marital status (whether a person is married or not).
2. In Australia, the law says that it is wrong to discriminate against someone on these grounds in certain areas of public life. It shouldn't matter what a person's sex, race, marital status, religion, sexuality or gender identity is or disability or political views they have.
3. In Western Australia, the *Equal Opportunity Act 1984* makes it unlawful to discriminate against someone on certain grounds in one of the areas of public life covered by the Act. These grounds are:
 - Age (being regarded as too young or too old)
 - Breastfeeding (being asked not to feed, or to use other facilities to breast or bottle feed)
 - family responsibility (having a caring role)
 - family status (being a relative of a particular person or having the status of being a particular relative)
 - gender history (having reassigned gender as certified under the *Gender Reassignment Act 2000*)
 - impairment (having a physical, intellectual or mental disability that is current, past or imputed)
 - marital status (being single, married, a de facto partner, separated, divorced or widowed)
 - pregnancy
 - political conviction
 - religious conviction
 - race
 - racial harassment (including offensive or insulting comments or other behaviour about a person's colour, ethnic background or origin)
 - sex
 - sexual harassment
 - sexual orientation
 - spent conviction (discrimination on the ground of spent convictions under the *Spent Convictions Act 1988*)

The Act may also apply to a relative or person who has a close relationship to a person affected by these grounds.

Victimisation is also against the law. Victimisation includes threatening, harassing, or punishing a person in any way because they have objected about the discriminating manner in which they have been treated.

4. It is against the law to treat a person unfairly or worse than others in the workplace because of any of these grounds. It is also against the law in other places, like at school, in hotels and hostels, in sporting activities, in publically funded clubs and when a person or business is providing goods and services.
5. People who believe that they have been discriminated against can make a complaint to the Equal Opportunity Commission WA. They can also call legal aid for free information and help in some cases.

Answers

Activity A – Watch the story again. Match the right ending to the right sentence.

1. b
2. d
3. a
4. c

Activity B – What is the important information? Read the statements and circle True or False:

1. False
2. False
3. True
4. False
5. True

Activity C – Watch Discrimination and answer the questions.

1. Ida believes she is good at working with customers and she has applied for training three times.
2. David says Ida cannot do the training because some customers do not like her hijab.
3. Discrimination (also rude, unfair, mean etc).
4. Sarah says David's treatment of Ida is discrimination and that discrimination is illegal.
5. Legal Aid.

Activity D – Discussion

Activity E – Watch Discrimination again. Look for the screen that tells you where to get help, then complete the missing information in the boxes.

Service	Web address	Phone number
Legal Aid WA	www.legalaid.wa.gov.au	1300 650 579
Equal Opportunity Commission (WA)	www.eoc.wa.gov.au	(08) 9216 3900
Australian Human Rights Commission	www.humanrights.gov.au	1300 656 419
Translating and Interpreting Service	www.tisnational.gov.au	131 450

Script for Discrimination story

- David Ida, what can I do for you?
- Ida I was wondering whether you've approved my application to do customer service training
- David Look, um...
- Ida Everyone else in the team has done the training. I've applied three times now.
- David Yeah... well... customer service is about how you... present yourself. It might not be the best place for you.
- Ida I'm really polite. And customers like me. I'm a very honest person. I'm good at my job.
- David No, no. It's not that. It's your... scarf thing.
- Ida My hijab?
- David Well, yes. Look, I'm not racist, but some customers don't like them. So we don't think you should be in a customer service. You won't be getting customer training.
- We're going to put you in Accounts, away from the customers. We've got all sorts back there.
- Ida But... I would rather work with the customers. Accounts isn't my job.
- David Ida, if you refuse to go to Accounts, I'll have to let you go.
- David Sarah, can you show Ida to Accounts?
- Sarah Ida, he can't refuse to train you, or move you to another department, because of your religion. That's discrimination. Discrimination is illegal.
- Ida But what can I do about it? He's the boss. And I need this job.
- Sarah There are places you can go for help and advice, like Legal Aid. You could call them and see what your options are. They are free, and no one has to know you are getting help.
- Ida Hello. My boss won't let me do customer service training because of my religion. He's moved me to another section of the office. He says customers don't like my hijab.
- Legal Help Officer It sounds like you need some information and advice about discrimination. In Australia, it is against the law to discriminate against people in the workplace because of their religion. Firstly, I need to get some details from you. This is all confidential and will help us work out the best way to help you. There are some different options for what you can do next. If you feel comfortable, you could speak to your boss. If you don't want to do this, or if the behaviour doesn't stop, we can help you write a letter to your boss explaining that what he is doing is discrimination and that it is against the law. This letter could ask your boss to stop the behaviour, apologise to you, pay some money for the damage caused, or do some training to make sure it doesn't happen again. If this still doesn't work, we can help you make a complaint with a human rights commission.

Acknowledgement

Legal Aid WA would like to thank Victoria Legal Aid (VLA) for giving permission to reproduce and adapt for Western Australia the photo story, and the activity and answer sheets for this topic originally published by VLA.